



**San Francisco Unified School District**  
**Legal Department**

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*Educational Records Analyst*  
publicinfo@sfusd.edu

July 8, 2019

**TRANSMITTED VIA EMAIL TO:**

Anonymous Person  
Via muckrock.com

**Re: Response to Public Records Request**

Dear Anonymous Person:

This letter is a follow up to our June 24, 2019 disclosure of records in response to your California Public Records Act request for correspondence, complaints and Board documents referencing First Amendment, freedom of speech, etc.

We reviewed your June 24 inquiry for information withheld under the attorney-client privilege and the Family Educational Rights and Privacy Act, and other applicable privacy statutes and regulations. Pursuant to Cal. Evid. Code § 950 et seq., the entirety of the communications with the District's legal counsel is privileged information. With respect to student records, personally identifying information about students referenced in the identified records is inextricably intertwined with the other information in the record and is not reasonably segregable from nonexempt information. Therefore, the records are being withheld in their entirety. *American Civil Liberties Union Foundation v. Deukmejian*, 32 Cal. 3d 440, 452-454. This is our final response with respect to your inquiry for formal complaints referencing the terms you provided.

With respect to Board of Education agendas and minutes, the District posts records online at <http://www.boarddocs.com/ca/sfusd/Board.nsf/Public> where you can use the search function to identify the records you seek. Additional records are archived at [http://sanfrancisco.granicus.com/ViewPublisher.php?view\\_id=47](http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=47) where you can use the search function to identify the records you seek. This is our final response with respect to your inquiry for Board of Education agendas and minutes reference the terms you provided.

There is no centralized repository of correspondence from the public to the Board of Education and District employees. The District conferred with the Office of the Superintendent and the Leadership, Equity, Achievement and Design Assistant Superintendents and Directors to identify responsive records. The identified records are enclosed with this letter.

A search for correspondence, sent between January 1, 2018 and June 12, 2019, to the current Board of Education, identified 322 electronic mail records. The District electronic mail records are kept on a Google platform. In order to produce an electronic mail record, each email must be extracted on a one by one basis. Pursuant to California Government Code § 6253.9(b), the requester shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record. The District estimates that the task will require 3 hours of work at a rate of \$53.57/hour by an Education

Policy Analyst. Therefore, the District will require payment of \$160.71 before it will extract the record. Should the District require less time to extract the record, we will refund the balance. However, should the District require additional time to extract the record, we will request additional payment.

After the District extracts the record, the District will review the information to determine whether any applicable exemptions from disclosure may apply, including information that a reasonable person could use to identify a particular student. Therefore, although you are charged the cost of constructing the record, there is a possibility that you may not receive all or any of the information.

In order to move forward, please make a check payable to "San Francisco Unified School District" and send payment to my attention at the address listed above. If we do not receive payment by August 7, 2019, we will consider your request withdrawn.

Sincerely,  
SAN FRANCISCO UNIFIED SCHOOL DISTRICT

A handwritten signature in blue ink, appearing to read "J. R. Reclosado", is positioned above the printed name.

John Richard Reclosado